

ASSEMBLY BILL NO. 196—ASSEMBLYWOMAN BENITEZ-THOMPSON

MARCH 4, 2021

Referred to Committee on Government Affairs

SUMMARY—Requires courthouses to contain lactation rooms for use by members of the public under certain circumstances. (BDR 1-734)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1) (NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to courts; requiring courthouses to contain lactation rooms for use by members of the public under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires each public body in this State to provide an employee  
2 who is the mother of a child under 1 year of age with a place, other than a  
3 bathroom, that is reasonably free from dirt or pollution, protected from the view of  
4 others and free from intrusion by others where the employee may express breast  
5 milk. (NRS 281.755) Existing federal law requires, with certain exceptions, that  
6 federal buildings, including, without limitation, federal courthouses, contain a  
7 lactation room that is made available for use by members of the public to express  
8 breast milk. (40 U.S.C. § 3318) This bill enacts provisions based on this federal law  
9 to require each courthouse to contain a lactation room that may be used by  
10 members of the public to express breast milk. This bill provides an exception to the  
11 requirement if the person who is responsible for the operation of the courthouse  
12 determines that: (1) the courthouse does not contain a lactation room for  
13 employees; (2) the courthouse does not have a room or other space that could be  
14 repurposed or privatized as a lactation room; or (3) new construction would be  
15 required to provide the lactation room and the cost of the construction is unfeasible.  
16 This bill defines “lactation room” as a hygienic place, other than a bathroom, that:  
17 (1) is shielded from view; (2) is free from intrusion; and (3) contains a chair, a  
18 working surface and an electrical outlet.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** Chapter 1 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3       1. *Except as otherwise provided in this section, each*  
4 *courthouse must contain a lactation room that members of the*  
5 *public may use to express breast milk.*

6       2. *The requirements of subsection 1 do not apply to a*  
7 *courthouse if the person who is responsible for the operation of*  
8 *the courthouse determines that:*

9       (a) *The courthouse does not contain a lactation room for*  
10 *employees;*

11       (b) *The courthouse does not have:*

12           (1) *A room that could be repurposed as a lactation room; or*

13           (2) *A space that could be made private at a reasonable cost*  
14 *using portable materials; or*

15       (c) *New construction would be required to create the lactation*  
16 *room and the cost of such construction is unfeasible.*

17       3. *Nothing in this section shall be construed to authorize a*  
18 *person to enter a courthouse if the person is not authorized to*  
19 *enter the courthouse.*

20       4. *As used in this section, "lactation room" means a hygienic*  
21 *place, other than a bathroom, that:*

22       (a) *Is shielded from the view of others;*

23       (b) *Is free from intrusion by others; and*

24       (c) *Contains:*

25           (1) *A chair;*

26           (2) *A working surface; and*

27           (3) *An electrical outlet.*

28       **Sec. 2.** The provisions of NRS 354.599 do not apply to any  
29 additional expenses of a local government that are related to the  
30 provisions of this act.

31       **Sec. 3.** This act becomes effective on January 1, 2022.

